



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

1231602 - R8 SDMS

December 2, 2010

Ref: 8ENF-L

Mr. and Mrs. Mel Parker
P.O. Box 609
Libby, MT 59923

Dear Mr. and Mrs. Parker:

This responds to your letter to Mike Cirian of November 4, 2010 concerning the power line EPA proposes to build near the intersection of Rainy Creek Road and Highway 37.

It is very important that this power line be built. EPA needs to get power to its building, which is about 400 feet up Rainy Creek Road from where it intersects with Highway 37. Mike has mentioned to me that he had a verbal agreement with you at one time to run the power line across another route on your property, a route preferable to you, but you have backed out of that agreement. Our only option now is to run the line up the right of way on the southeast side of Rainy Creek Road.

! Does EPA need county approval to construct the power line as proposed?

EPA does not need approvals from Lincoln County for this project. A contractor will build the power line for EPA within the guidelines of the county. Flathead Electric Cooperative has already received necessary approvals from the Montana Department of Transportation and is following standard county guidelines for right of way access. This was confirmed during your meeting with the Lincoln County Commissioners on October 13, 2010.

Should the line be buried?

We understand you want the line buried, but we don't feel that the extra expense to do so is a good use of limited EPA resources. We are skeptical that the line will interfere with your use of the area on the north side of Rainy Creek Road as a quarry given that there are so many other power lines in the area. We are skeptical that the line will interfere with any enjoyment of the area on the other side of Rainy Creek Road as there is no house there at present, and the proposed power line is temporary. EPA could remove the power line after it is no longer needed.



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Will the power line interfere with sprinklers along the southeast side of Rainy Creek Road near the intersection with Montana Highway 37?

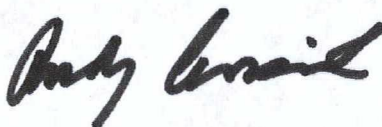
No. The guy lines for the power line will not interfere with the sprinklers. If the sprinklers are damaged, EPA will repair or replace them.

There is no asbestos at the rock quarry.

* EPA has no current information as to asbestos at the quarry. If asbestos is found there, then the quarry operator would be responsible for addressing any contamination that is spread.

If you have any other issues concerning the power line, please feel free to write me, call me at 303-312-6908, or email me at lensink.andy@epa.gov.

Sincerely,



Andrew J. Lensink
Sr. Enforcement Attorney

Cc: Mike Cirian, EPA
Victor Ketellapper, EPA

